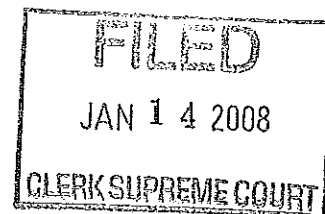


## IN THE SUPREME COURT OF IOWA



IN THE MATTER OF APPOINTMENTS     )  
TO THE SUPREME COURT                 )     **ORDER**  
LIMITED JURISDICTION TASK FORCE     )

Thirty-four years have passed since the adoption of the Unified Trial Court Act that streamlined Iowa's fragmented trial court system. This Act, among other things, abolished an assortment of local courts, including police courts, municipal courts, justice of the peace courts, and superior courts and replaced them with part-time magistrates, full-time magistrates (now known as district associate judges), and district associate judges. While the legislature has changed some features of the magistrate system over the years, it has maintained the basic framework and function of Iowa's magistrate court as it was in 1973.

Iowa has changed dramatically since the inception of the present part-time magistrate system. Population migration, increasing numbers of drug crimes and incidents of domestic violence, more appearances by self-represented litigants, rising demands for mental health services, shifts in our economy, and a more diverse population are some of the changes that have affected our communities and placed different and greater demands on our courts.

The Iowa Supreme Court and Iowa Judicial Council are aware of a number of concerns regarding the part-time judicial magistrate system, including workload disparities caused by caseload disparities among counties, a shortage of resident lawyers to serve as magistrates in certain rural parts of the state and compensation equity. Many of these issues were identified and discussed by the Legislative Interim Study Committee on Judicial Districts and Judicial Resources (2003-2005). However, the legislature has not implemented any of the related recommendations of this study committee.

For the reasons stated above, the Iowa Supreme Court and the Iowa Judicial Council believe it is time to examine whether Iowa's thirty-four-year-old magistrate framework is meeting the needs of local communities for equal, accessible, and high-caliber justice and, if not, identify what improvements or systemic reforms are required to meet these needs. Therefore, the court establishes a task force to:

- Examine the needs of local communities for readily available judicial services to address:

- Cases and court procedures that require swift judicial attention such as criminal procedures, civil commitment proceedings, and requests for protective or no-contact orders, and
- High volume, routine matters such as ordinance and traffic violations, small claims cases and forcible entry and detainer actions.
- Assess the capacity of the judicial branch to effectively, efficiently and equitably meet those needs within the present judicial magistrate framework,
- Examine whether the present composition of limited jurisdiction courts within the unified trial court system effectively addresses the changing needs of local communities for access to readily available judicial services.
- Recommend cost-effective, results-oriented strategies for enhancing and ensuring the delivery of high quality community-based judicial services.

When assessing the capacity of the present judicial magistrate framework to effectively, efficiently, and equitably meet the needs of local communities for judicial services, the task force should consider, among other issues, the jurisdiction, allocation, distribution of workload, qualifications, education, appointment procedures, and compensation of magistrates. The task force should also examine the extent to which the practice of law by magistrates who are also lawyers affects the effective and efficient administration of justice.

When considering recommendations for enhancements, the task force should be open to options outside the parameters of the present judicial magistrate framework. The task force may want to consider ideas such as:

- Adding more district associate judges or creating full-time magistrate positions to serve high volume communities or clusters of communities.
- Providing more flexibility with respect to the geographical boundaries within which magistrates must reside and are assigned.
- Requiring all judicial magistrates to be licensed to practice law.
- Innovations for promptly addressing cases and for improving public service such as evening or weekend hours, and changes in jurisdiction.

- Redesigning nomination and appointment procedures in a manner that best ensures judicial accountability and fosters public confidence in the courts.
- Providing pay differentials that correspond with varying case loads.

The task force should consult with experts and advocates in subject matter areas encompassed within or affected by the study such as mental health advocates, service providers and professionals, domestic abuse advocates, and local and state corrections officials.

The court hereby appoints the following persons to the task force:

Donald Redfern, Cedar Falls, chair  
 James R. Tyler, Atlantic  
 Corbett (Corey) Luedeman, Cedar Rapids  
 Susan Flander, Mason City  
 Linny Emrich, Clerk of Court, Manchester  
 Craig Jorgensen, Clerk of Court, Sioux City  
 Captain Dan Chapman, Dubuque  
 Lisa Raabe, Des Moines  
 David M. Erickson, Des Moines  
 Elisabeth S. Reynoldson, Osceola  
 Jerry Van Scoy, Clinton  
 Magistrate Dianne Wallwey, Spencer  
 Magistrate Richard N. Dunn, Eldora  
 Magistrate Suellen Overton, Council Bluffs  
 Magistrate Karen D. Egerton, Iowa City  
 Vicky Long Hill, Des Moines  
 Myron Gookin, Fairfield  
 District Judge Mary E. Howe, Davenport  
 District Judge Nancy A. Baumgartner, Cedar Rapids  
 District Associate Judge Lucy J. Gamon, Sigourney  
 District Associate Judge John Nelson, Sioux City  
 District Associate Judge Virginia Cobb, Adel  
 Chief of Police Jeff Harnish, Toledo  
 Timothy W. Dille, Jefferson County Attorney, Fairfield  
 Timothy R. Kenyon, Union County Attorney, Creston  
 James Strohman, Story County Board of Supervisors, Ames  
 Linda Langston, Linn County Board of Supervisors, Cedar Rapids  
 Senator Larry McKibben, Marshalltown  
 Representative Richard T. Anderson, Clarinda  
 Senator Keith A. Kreiman, Bloomfield  
 Representative Rick Olson, Des Moines

Members shall be reimbursed for necessary and reasonable travel expenses according to Iowa Court Rules 22.16 through 22.2.

Dated this 14<sup>th</sup> day of January, 2008.

THE SUPREME COURT OF IOWA

By Marsha Ternus  
Marsha K. Ternus, Chief Justice

Copies to:

Members of the Supreme Court  
Chief Judges  
State Court Administrator  
Members of the Task Force  
Director of Finance and Personnel  
District Court Administrators